

***Remarks***

Applicants thank the Examiner for the careful consideration given this application. Reconsideration of this application is requested in view of the above amendments and the following remarks.

Claims 1-22 are now pending in this application, where Claims 1, 9, and 16 are independent claims. Claims 1, 8, 9, 15, and 16 have been amended. The amendments to Claims 8 and 15 are merely to change to preferred wordings.

At pages 2-3, the Office Action rejects Claim 16 under 35 U.S.C. § 102(b) as being anticipated by Hamada et al. (U.S. Patent No. 4,949,336). This rejection is respectfully traversed for at least the following reasons.

Claim 16 recites, among other things, “the time frame having a plurality of assigned time phases, each assigned to one of the device adapters, and a free access phase.” It is noted that Claim 16 was amended to add the words, “each assigned to one of the device adapters,” to clarify what is meant by “assigned time phases” (Claims 1 and 9 were similarly amended). The Office Action, at page 3, asserts that “Hamada et al. further discloses the time slot areas are indicated as ‘free or idle’ (‘free access phase’) or ‘busy’ (‘assigned time phases’, column 2[,] line 1-19).” However, reviewing Hamada et al. in Claim 1, at col. 2, lines 1-19, and at col. 2, line 60 to col. 3, line 50, it is clear that Hamada et al. is *not* disclosing assigned time phases that are assigned to the device adapters. As discussed in particular, e.g., at col. 2, lines 34 ff., transmission stations must request time slots; they are not assigned. This is further evident from the discussion at col. 2, line 1, describing the scheme of Hamada et al. as “implicit token passing,” which

is known in the art to refer to a system in which channel use is passed among stations of a network, where the channel usage is not assigned.

For at least these reasons, it is respectfully submitted that Hamada et al. fails to anticipate Claim 16.

At pages 4-13, the Office Action rejects Claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over Dobson (U.S. Patent No. 6,507,585) in view of Hamada et al. At pages 13-19, the Office Action rejects Claims 17-22 under 35 U.S.C. § 103(a) as being unpatentable over Hamada et al., as applied to Claim 16, and further in view of Dobson. These rejections are respectfully traversed for at least the following reasons.

Claims 1 and 9 are similar to Claim 16, in terms of reciting the assignment of time phases of the time frame to the various device adapters (and have been similarly clarified, as noted above). The rejections of these claims rely on the same teachings of Hamada et al. as used in connection with Claim 16. As noted above, however, Hamada et al. fails to disclose the limitations relating to assignment of time phases to device adapters. Furthermore, Applicants have found no disclosure or suggestion in Dobson that would remedy the deficiencies of Hamada et al. For at least these reasons, Applicants respectfully submit that Claims 1 and 9 are allowable over the cited references. Similarly, their respective dependent claims (Claims 2-8 and 10-15) are also allowable over the cited references.

The rejections of Claims 17-22 similarly rely on Hamada et al., and the deficiencies of Hamada et al. are not remedied by Dobson. Therefore, it is respectfully submitted that these claims, too, are allowable over the cited references.

Applicants further note that they have added to each of the independent claims (Claims 1, 9, and 16), the limitation that the network of interest is one that uses a carrier-sense multiple-access/collision detection (CSMA/CD) protocol. It is respectfully submitted that none of the cited references discloses or suggests a system or method as claimed in such a context. It is respectfully submitted that these amendments are supported, e.g., by the specification at page 8.

Applicant may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

***Conclusion***

Applicants believe that the above amendments and remarks address all of the grounds for objection and rejection and place the application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this Amendment and Reply and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

/Jeffrey W. Gluck/

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